



S/N 09/515,760

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth W. Marr et al.

Examiner: Douglas W. Owens

Serial No.: 09/515,760

Group Art Unit: 2811

Filed: March 1, 2000

Docket: 303.650US

Title: ANTIFUSE STRUCTURE AND METHOD OF USE

RESPONSE UNDER 37 CFR § 1.111

Commissioner for Patents
Washington, D.C. 20231

In response to the Office Action dated 14 August 2002, the applicant respectfully requests reconsideration of the above-identified application in view of the following remarks. Claims 1-52 are pending in the application, and claims 19-26 and 47-52 have been withdrawn from consideration. Claims 1-18 and 27-46 are rejected. None of the claims have been amended.

Telephone interview

The applicant thanks Examiner Owens for the telephone interview granted on Tuesday, 12 November 2002 between himself and the applicant's representative Mr. Mates (Reg. No. 35,271). The substance of this response was discussed during the interview.

Rejection of Claims under §103

Claims 1-6 and 43-46 were rejected under 35 USC §103(a) as being unpatentable over Seyyedy et al. (U.S. Patent No. 5,811,869, Seyyedy). The applicant respectfully traverses.

Seyyedy relates to a laser antifuse. The office action indicated that it would have been obvious to modify Seyyedy.

"To establish a *prima facie* case of obviousness ... there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings." The suggestion or motivation must be found in the prior art. MPEP 2143.

The Office Action has not cited language in Seyyedy or any other prior art that provides motivation for the modifications of Seyyedy relied on in the rejection. As an example, the Office Action indicated on page 2 that "[i]t would have been a matter of obvious design choice to select either first or a second conductivity type for the first conductive terminal depending on the

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